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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PUBLIC RESOURCE.ORG

Case No.: 3:13-cv-00815 SC

Plaintiff,

V.

SHEET METAL AND AIR CONDITIONING CONTRACTORS' NATIONAL ASSOCIATION, INC.

**DECLARATION OF KATHLEEN LU
IN SUPPORT OF STIPULATION AND
[PROPOSED] ORDER TO EXTEND
TIME TO REPLY**

Defendant

1 I, Kathleen Lu, declare pursuant to 28 U.S.C. § 1746 as follows:

2 1. I am an attorney licensed to practice in California and before this Court. I am an
3 associate with Fenwick & West LLP, and counsel for Plaintiff Public.Resource.Org (“Public
4 Resource”) in this matter. I have personal knowledge of the matters set forth below, and if called
5 to testify, I could and would competently do so.

6 2. On May 29, 2013, Public Resource filed its motion for default judgment (Dkt. No.
7 23) and personally served SMACNA, noticing a hearing date of July 19th, 2013.

8 3. By my calculation, SMACNA’s response to that motion would be due on June 12,
9 2013, with any further reply from Public Resource due 7 days later, on June 19, 2013.

10 4. On June 17, 2013 Defendant Sheet Metal and Air Conditioning Contractor’s
11 National Association (“SMACNA”) filed its Opposition to Plaintiff’s Motion for Default
12 Judgment. I understand that SMACNA calculated this date as 14 days from filing plus 3 days.

13 5. Upon speaking with counsel for SMACNA, the parties agreed that, in the interest
14 of allowing Public Resource sufficient time to reply, Public Resource should receive until June
15 27, 2013 (7 days from the date SMACNA filed its opposition, plus 3 days), to file its reply and
16 any supporting papers.

17 6. This extension will not affect the Court’s calendar. The noticed hearing date of
18 July 19th, 2013 is 23 days after the proposed date for Public Resource to submit its papers.

19 7. This is the first modification of time in this case, whether by stipulation or Court
20 order, and will not have any effect on the schedule for the case.

21 I declare under penalty of perjury under the laws of United States that the foregoing is true
22 and correct.

23 Executed this 18th day of June, 2013 at San Francisco, California.

25 _____ /s/ *Kathleen Lu*
26 Kathleen Lu
27
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